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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

UNITED STATES OF AMERICA, Plaintiff, v. **Ruben JURADO-Cirnes,** Defendant	Magistrate Docket No. '08 MJ 0365 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **February 7, 2008** within the Southern District of California, defendant, **Ruben JURADO-Cirnes,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 8th DAY OF **FEBRUARY 2008**

Ruben B. Brooks
UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Ruben JURADO-Cirnes

PROBABLE CAUSE STATEMENT

Agents assigned to the San Diego Sector, Smuggling Interdiction Group, (SIG) utilize various sources to locate and arrest previously deported criminal aliens who have returned to the United States in violation of the Immigration and Nationality Act. Agents discovered that the defendant Ruben JURADO-Cirnes, a previously deported alien had been arrested by San Diego Police Department

On February 7, 2008 at approximately 9:45 am, Border Patrol Agents A. Cacho and B. Soto went to the San Diego County Central Jail and identified themselves as United States Border Patrol Agents. Agents questioned the defendant as to his identity and his immigration status. The defendant stated that he was in fact Ruben JURADO-Cirnes. The defendant admitted to being a citizen and national of Mexico without any immigration documents that would allow him to enter or remain in the United States legally. The defendant was released from the San Diego Central Jail and turned over to Border Patrol custody. The defendant was arrested by Agents Cacho and Soto and transported to the Chula Vista Border Patrol Station.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **September 27, 2007** through **San Ysidro, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda Rights and stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted to being a citizen and national of Mexico, and that he is present without immigration documents that would allow him to enter or remain in the United States legally.